

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:18-cv-06070-JSR

Osen LLC v. United States Department of State
Assigned to: Judge Jed S. Rakoff
Cause: 05:552 Freedom of Information Act

Date Filed: 07/03/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Osen LLC

represented by **Michael Jacob Radine**
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V.

Defendant

United States Department of State

represented by **Peter Max Aronoff**
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Date Filed	#	Docket Text
07/03/2018	<u>1</u>	FILING ERROR – DEFICIENT PLEADING – SIGNATURE ERROR – COMPLAINT against United States Department of State. (Filing Fee \$ 400.00, Receipt Number 0208-15283940) Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Friedman, William) Modified on 7/5/2018 (pc). (Entered: 07/03/2018)

07/03/2018	<u>2</u>	CIVIL COVER SHEET filed. (Friedman, William) (Entered: 07/03/2018)
07/03/2018	<u>3</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Osen LLC.(Friedman, William) (Entered: 07/03/2018)
07/03/2018	<u>4</u>	FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST PDF ERROR – REQUEST FOR ISSUANCE OF SUMMONS as to U.S. Dept. of State, re: <u>1</u> Complaint. Document filed by Osen LLC. (Friedman, William) Modified on 7/5/2018 (pc). (Entered: 07/03/2018)
07/05/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney William Adam Friedman to RE–FILE Document No. <u>1</u> Complaint. The filing is deficient for the following reason(s): the pleading was not signed by the attorney who filed it. Re–file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. (pc) (Entered: 07/05/2018)
07/05/2018		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Jed S. Rakoff. Please download and review the Individual Practices of the assigned District Judge, located at http://nysd.uscourts.gov/judges/District . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. Please download and review the ECF Rules and Instructions, located at http://nysd.uscourts.gov/ecf_filing.php . (pc) (Entered: 07/05/2018)
07/05/2018		Magistrate Judge Debra C. Freeman is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: http://nysd.uscourts.gov/forms.php . (pc) (Entered: 07/05/2018)
07/05/2018		Case Designated ECF. (pc) (Entered: 07/05/2018)
07/05/2018		***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney William Adam Friedman to RE–FILE Document No. <u>4</u> Request for Issuance of Summons,. The filing is deficient for the following reason(s): Party name on summons must exactly match what is listed on the caption title. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pc) (Entered: 07/05/2018)
07/05/2018	<u>5</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of State, re: <u>1</u> Complaint,. Document filed by Osen LLC. (Friedman, William) (Entered: 07/05/2018)
07/05/2018	<u>6</u>	NOTICE OF APPEARANCE by Michael Jacob Radine on behalf of Osen LLC. (Radine, Michael) (Entered: 07/05/2018)
07/05/2018	<u>7</u>	COMPLAINT against United States Department of State. Document filed by Osen LLC.(Radine, Michael) (Entered: 07/05/2018)
07/13/2018	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of State. (pne) (Entered: 07/13/2018)
07/13/2018	<u>9</u>	NOTICE OF COURT CONFERENCE: Initial Conference set for 7/30/2018 at 11:00 AM in Courtroom 14B, 500 Pearl Street, New York, NY 10007 before Judge Jed S. Rakoff, as further set forth in this order. (Signed by Judge Jed S. Rakoff on 7/13/2018) (jwh) (Entered: 07/13/2018)
07/30/2018		Minute Entry for proceedings held before Judge Jed S. Rakoff: Initial Pretrial Conference held on 7/30/2018. (Kotowski, Linda) (Entered: 07/30/2018)
08/14/2018		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 8/14/2018. (Kotowski, Linda) (Entered: 08/30/2018)

08/16/2018	<u>10</u>	ANSWER to <u>7</u> Complaint. Document filed by United States Department of State.(Tarczynska, Dominika) (Entered: 08/16/2018)
09/06/2018	<u>11</u>	NOTICE OF APPEARANCE by Peter Max Aronoff on behalf of United States Department of State. (Aronoff, Peter) (Entered: 09/06/2018)
09/14/2018	<u>12</u>	STATUS REPORT. Document filed by Osen LLC.(Radine, Michael) (Entered: 09/14/2018)
09/14/2018	<u>13</u>	TRANSCRIPT of Proceedings re: conference held on 7/30/2018 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Alena Lynch, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/5/2018. Redacted Transcript Deadline set for 10/15/2018. Release of Transcript Restriction set for 12/13/2018.(McGuirk, Kelly) (Entered: 09/14/2018)
09/14/2018	<u>14</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 7/30/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 09/14/2018)
09/28/2018		Minute Entry for proceedings held before Judge Jed S. Rakoff: Interim Pretrial Conference held on 9/28/2018. Government's Motion for Summary Judgment due 11-9-2018, Plaintiff's cross motion and response to Govt's Motion due 11-20-2018, Govt's resp to pltff's cross motion due 12-3-2018 as is their reply to pltff's response to the Govt's MSJ, pltff's reply to the gov't's response to their cross motion due 12-10-2018. Argument will be heard on 12-17-2018 at 4:00pm. (Kotowski, Linda) (Entered: 09/28/2018)
11/09/2018	<u>15</u>	MOTION for Summary Judgment . Document filed by United States Department of State.(Aronoff, Peter) (Entered: 11/09/2018)
11/09/2018	<u>16</u>	MEMORANDUM OF LAW in Support re: <u>15</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Aronoff, Peter) (Entered: 11/09/2018)
11/09/2018	<u>17</u>	DECLARATION of Eric F. Stein in Support re: <u>15</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Aronoff, Peter) (Entered: 11/09/2018)
11/20/2018	<u>18</u>	CROSS MOTION for Summary Judgment . Document filed by Osen LLC. Responses due by 12/3/2018 Return Date set for 12/17/2018 at 04:00 PM.(Radine, Michael) (Entered: 11/20/2018)
11/20/2018	<u>19</u>	MEMORANDUM OF LAW in Support re: <u>18</u> CROSS MOTION for Summary Judgment .. Document filed by Osen LLC. (Radine, Michael) (Entered: 11/20/2018)
11/20/2018	<u>20</u>	DECLARATION of Michael J. Radine in Support re: <u>18</u> CROSS MOTION for Summary Judgment .. Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26, # <u>27</u> Exhibit 27, # <u>28</u> Exhibit 28, # <u>29</u> Exhibit 29, # <u>30</u> Exhibit 30, # <u>31</u> Exhibit 31, # <u>32</u> Exhibit 32, # <u>33</u> Exhibit 33, # <u>34</u> Exhibit 34, # <u>35</u> Exhibit 35, # <u>36</u> Exhibit 36, # <u>37</u> Exhibit 37, # <u>38</u> Exhibit 38, # <u>39</u> Exhibit 39, # <u>40</u> Exhibit 40)(Radine, Michael) (Entered: 11/20/2018)
11/27/2018		Minute Entry for proceedings held before Judge Jed S. Rakoff: Telephone Conference held on 11/27/2018. (Kotowski, Linda) (Entered: 12/04/2018)
12/03/2018	<u>21</u>	REPLY MEMORANDUM OF LAW in Support re: <u>15</u> MOTION for Summary Judgment . and memorandum of law in opposition to plaintiff's cross-motion. Document filed by United States Department of State. (Aronoff, Peter) (Entered:

		12/03/2018)
12/03/2018	<u>22</u>	DECLARATION of Eric F. Stein in Support re: <u>15</u> MOTION for Summary Judgment .. Document filed by United States Department of State. (Aronoff, Peter) (Entered: 12/03/2018)
12/10/2018	<u>23</u>	REPLY MEMORANDUM OF LAW in Support re: <u>18</u> CROSS MOTION for Summary Judgment .. Document filed by Osen LLC. (Radine, Michael) (Entered: 12/10/2018)
12/10/2018	<u>24</u>	DECLARATION of Michael J. Radine in Support re: <u>18</u> CROSS MOTION for Summary Judgment .. Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 29A)(Radine, Michael) (Entered: 12/10/2018)
12/17/2018		Minute Entry for proceedings held before Judge Jed S. Rakoff: Oral Argument held on 12/17/2018 re: <u>15</u> MOTION for Summary Judgment . filed by United States Department of State, <u>18</u> CROSS MOTION for Summary Judgment . filed by Osen LLC. (Kotowski, Linda) (Entered: 12/19/2018)
12/20/2018	<u>25</u>	DECLARATION of Michael J. Radine in Support re: <u>18</u> CROSS MOTION for Summary Judgment .. Document filed by Osen LLC. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 7, # <u>7</u> Exhibit 9, # <u>8</u> Exhibit 13, # <u>9</u> Exhibit 16, # <u>10</u> Exhibit 17, # <u>11</u> Exhibit 18, # <u>12</u> Exhibit 19, # <u>13</u> Exhibit 20, # <u>14</u> Exhibit 21, # <u>15</u> Exhibit 23)(Radine, Michael) (Entered: 12/20/2018)
12/27/2018	<u>26</u>	STANDING ORDER M10-468: The United States Attorney's Office shall notify the Court immediately upon the restoration of Department of Justice funding. (As further set forth in this Order.) SO ORDERED. (Signed by Judge Colleen McMahon on 12/27/2018) (ama) (Entered: 01/03/2019)
12/27/2018		Case Stayed (ama) (Entered: 01/14/2019)
01/07/2019	<u>27</u>	TRANSCRIPT of Proceedings re: confernece held on 12/17/2018 before Judge Jed S. Rakoff. Court Reporter/Transcriber: Karen Gorlaski, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/28/2019. Redacted Transcript Deadline set for 2/7/2019. Release of Transcript Restriction set for 4/8/2019.(McGuirk, Kelly) (Entered: 01/07/2019)
01/07/2019	<u>28</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a confernece proceeding held on 12/17/18 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 01/07/2019)
02/06/2019	<u>29</u>	OPINION AND ORDER re: <u>15</u> MOTION for Summary Judgment filed by United States Department of State, <u>18</u> CROSS MOTION for Summary Judgment filed by Osen LLC. For the reasons stated above, the Court grants State's motion for summary judgment in full, and denies Osen's motion for summary judgment. The Clerk of the Court is directed to close all open docket entries and enter judgment. SO ORDERED. (Signed by Judge Jed S. Rakoff on 2/5/2019) (anc) Transmission to Orders and Judgments Clerk for processing. (Entered: 02/06/2019)